

WEDNESDAY, JANUARY 10, 1996

FORTY-EIGHTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. David Vaughn, First Baptist Castalian Springs, Nashville, Tennessee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Ridgeway; illness

MESSAGE FROM THE SENATE

January 10, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s).285; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

January 10, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 288; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. -- Memorials, Retirement - Charles F. Holmes, University of Memphis. by *Cohen, *Kyle, *Person, *Leatherwood, *Dixon, *Atchley, *Burks, *Carter, *Cooper, *Crowe, *Crutchfield, *Elsea, *Ford J, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *McNally, *Miller J, *O'Brien, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for January 11, 1996:

Senate Joint Resolution No. 288 -- Memorials, Retirement - Charles F. Holmes, University of Memphis. by *Cohen, *Kyle, *Person, *Leatherwood, *Dixon, *Atchley, *Burks, *Carter, *Cooper, *Crowe, *Crutchfield, *Elsea, *Ford J, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *McNally, *Miller J, *O'Brien, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1950 -- Chiropractors - Revises requirements for obtaining continuing education hours. Amends TCA Section 63-4-112. by *Gunnels.

***House Bill No. 1951** -- DUI/DWI Offenses - Provides that operating motor vehicle with blood or breath alcohol concentration of .10 percent or more is per se violation of DUI statute. Amends TCA Title 55, Chapter 10, Part 4. by *Robinson, *Stamps, *Herron.

***House Bill No. 1952** -- Animals - Prohibits entities of state and local governments from enacting or enforcing laws or regulations restricting or preventing owner of dog from using electronic locating collar to protect such dog from loss. Amends TCA Title 44, Chapter 17. by *Newton.

***House Bill No. 1953** -- Surveyors - Exempts surveyors over 65 from continuing education requirements. Amends TCA Section 62-18-106. by *Lewis.

***House Bill No. 1954** -- Highway Signs - "Jim Alexander Memorial Highway", S.R. 22 between McKenzie and Huntingdon, Carroll County. by *Herron, *Phelan.

***House Bill No. 1955** -- Highway Signs - "Dale Kelley Highway," S.R. 22 from Huntingdon to Parker's Crossroads. by *Herron.

***House Bill No. 1956** -- Pardons and Paroles - Authorizes increase in number of members of work release commissions in counties other than Davidson from three up to 12. Amends TCA Section 41-2-134(c). by *Kent.

House Bill No. 1957 -- Jails, Local Lock-ups - Removes requirement that jailer of local jail must provide prisoners with at least two meals a day that must include specific food groups; replaces with requirement that prisoners must receive nutritionally balanced diet. Amends TCA Section 41-4-109. by *Kent.

***House Bill No. 1958** -- Bail, Bail Bonds - Replaces requirement that victim be sent certified copy of any conditional release conditions placed upon defendant with requirement victim be sent copy at last known address or given copy if present when conditions imposed. Amends TCA Title 40, Chapter 11, Part 1 and Title 40, Chapter 7, Part 1. by *McMillan.

***House Bill No. 1959** -- Adoption - Puts amendments adopted in 1995 by House that were removed by Senate action back into adoption law. Amends TCA Title 36, Chapter 1, Part 1. by *McMillan.

***House Bill No. 1960** -- Public Records - Authorizes cities and counties to establish and operate electronic access to public records on contractual, fee-based basis. Amends TCA Title 10, Chapter 7. by *Chumney.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1825 -- Game and Fish Laws -- House Conservation and Environment Committee

***House Bill No. 1827**-- General Assembly -- House Health & Human Resources Committee

House Bill No. 1830 -- Sullivan County -- House State & Local Government Committee

House Bill No. 1835 -- Regional Authorities -- House Conservation and Environment Committee

House Bill No. 1839 -- Perry County -- House Judiciary Committee

***House Bill No. 1840** -- Municipal Government -- House State & Local Government Committee

House Bill No. 1848 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 1852** -- Courts, Juvenile -- House Judiciary Committee

House Bill No. 1853 -- County Boundaries -- House State & Local Government Committee

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***House Bill No. 1861** -- Parks, Natural Areas Preservation -- House Conservation Committee

***House Bill No. 1862** -- Sales -- House Judiciary Committee

House Bill No. 1875 -- Sullivan County -- House State & Local Government Committee

House Bill No. 1876 -- Motor Vehicles -- House Commerce Committee

***House Bill No. 1888** -- Holidays -- House State & Local Government Committee

***House Bill No. 1942** -- Bond Issues -- House Finance, Ways & Means Committee

***House Bill No. 1945** -- Highways, Roads and Bridges -- House Transportation Committee

***House Bill No. 1946** -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 1947** -- Juries and Jurors -- House Judiciary Committee

***House Bill No. 1948** -- Taxes, Real Property -- House State & Local Government Committee

***House Bill No. 1949** -- Dams -- House Conservation and Environment Committee

CONSENT CALENDAR

House Joint Resolution No. 374 -- Memorials, Death - William Timothy Bell. by *Ford.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eccles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R.

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(Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 375 out of order, which motion prevailed.

House Joint Resolution No. 375 -- General Assembly, Adjournment, Recess - Recesses for Martin Luther King holiday. by *Purcell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 371: Rep(s). Buck as prime sponsor(s).

House Bill No. 884: Rep(s). Phelan as first prime sponsor(s).

ENGROSSED BILLS

January 10, 1996

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 374 and 375.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

COMMITTEE APPOINTMENTS

The Speaker announced that Representative Bell has been reassigned from the Agriculture Committee to the State and Local Government Committee.

ROLL CALL

The roll call was taken with the following results:

Present 98

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RECESS MOTION

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, January 11, 1996.